



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 1617

In re

Patent Application of

Charles W. Bishop, et al.

Application No. 09/753,697

Confirmation No.: 1609

Filed: January 3, 2001

Examiner: Theodore J. Criares

"24-HYDROXYVITAMIN D, ANALOGS AND
USES THEREOF"

I, Sally Sorensen, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.

Sally Sorensen
Signature

February 20, 2004

Date of Signature

**TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING REJECTION
OVER A PRIOR PATENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Bone Care International, Inc., located at 1600 Aspen Commons Middleton, WI 53561 (hereinafter "Assignee"), by its undersigned attorney of record, represents that it is the owner of the entire interest in the above-identified application (hereinafter "said Application") by virtue of an assignment recorded 10/19/1998, at Reel 9545, Frames 0900. Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on said Application, beyond the expiration date of the full statutory term of U.S. Patent No. 6,242,434 (hereinafter "said U.S. Patent"). Assignee hereby agrees that any patent granted on said Application shall be enforceable only for and during such period that the legal title of the patent granted on said Application should be the same as the legal title to said U.S. Patent. This agreement shall run with any patent granted on said Application and be binding upon the grantee, its successors or assigns. In making the above

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